

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

UNITED STATES OF AMERICA

Plaintiff/Respondent

v.

NICHOLAS GHARFOURIA

Defendant/Petitioner

Case No. 2:10-cr-0547-RFB

**ORDER**

Before the is Defendant Petitioner's Unopposed Emergency Motion for Reducing Sentence [ECF No. 1028].

For the reasons stated in the motion which the Court incorporates by reference here, the Court grants the Motion. The Court finds that Mr. Gharfouria qualifies for relief under 18 U.S.C. § 3582. Briefly, the Court reiterates and finds that due to the undisputed medical conditions that Mr. Gharfouria has and the danger to him at the Danbury Federal Correctional Institution based upon his conditions and the recent outbreak of confirmed COVID-19 cases of staff and inmates at the facility, Mr. Gharfouria qualifies for an immediate reduction of his term of imprisonment. The Court further finds that over 30 days have passed since Mr. Gharfouria requested compassionate release from the Bureau of Prisons. The Court further finds that consideration of the various factors under 18 U.S.C. § 3553(a) support a reduction of Mr. Gharfouria's term of imprison to a sentence of "time served" due to his medical conditions and the virus outbreak at Danbury and throughout the country. Finally, the Court notes that the government does not oppose Mr. Gharfouria's motion.

1 The Court finds that Mr. Gharfouria shall immediately begin his term of supervised release  
2 with an added special condition of home confinement for 90 days. All other conditions of Mr.  
3 Gharfouria's supervised release shall remain the same.

4 Accordingly,

5  
6 **IT IS THEREFORE ORDERED** that Defendant Petitioner's Unopposed Emergency  
7 Motion for Reduction of Sentence [ECF No. 1028] is GRANTED. Mr. Gharfouria's sentence is  
8 reduced to "time served." His term of supervised release shall remain the same with the added  
9 special condition of 90 days of home confinement.

10 **IT IS FURTHER ORDERED** that Defendant Nicholas Gharfouria shall be medically  
11 cleared by Danbury FCI within one day of this order and Danbury FCI shall provide Mr.  
12 Gharfouria with a cloth or surgical mask upon his departure from the facility. Mr. Gharfouria shall  
13 not be quarantined at the facility.

14  
15 **DATED:** April 22, 2020.

16  
17 

18 **RICHARD F. BOULWARE, II**  
19 **UNITED STATES DISTRICT JUDGE**  
20  
21  
22  
23  
24  
25  
26  
27  
28